

REMARKS

This Amendment is being filed in response to the Office Action mailed on April 10, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-9 are pending in the Application. Claim 8 is canceled without prejudice. Claims 10-20 are added by this amendment.

Applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority documents.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

By means of the present amendment, claims 1-7 and 9 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A'. Such amendments to claims 1-7 and 9 were not made in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, the title of the invention is objected to as allegedly not sufficiently descriptive. Without agreeing with this objection and in the interests of advancing prosecution,

Applicants have amended the title with a new title which is clearly indicative of the invention to which the claims are directed. Accordingly, withdrawal of the objection to the title is respectfully requested.

In the Office Action, claims 1-9 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,122,245 ("Kondo"). It is respectfully submitted that claims 1-7 and 9, as well as claims 10-20, are allowable over Kondo for at least the following reasons.

Kondo shows (see, FIG. 5, and Col. 5, lines 44-63) a signal recorded structure on an optical disc 10 having two information layers 1 and 2. Digital data groups A and B are ciphered in relation to respective cipher keys A2 and B2, and recorded on the optical disc 10 respectively as ciphered data groups A1 and B1. Although Kondo discloses that the ciphered data groups A1 and B1 and the respective cipher keys A2 and B2 for the ciphered data groups are not recorded on the same layer, Kondo discloses that only the "ciphered data group" relates to the content of the original disc. The ciphered data groups A1 and B1 (which comprise that data content) are deciphered using the associated cipher keys A2 and B2. In other words, in FIG. 5, the stored cipher keys A2 and B2 are not content related to the data groups A1 and B1, but are

only cipher keys that are used to decode the data groups contained in the ciphered data groups A1 and B1.

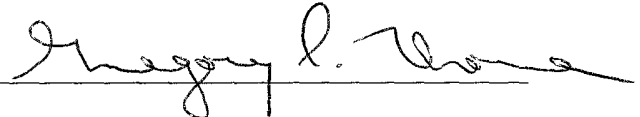
In view of the above, Applicants respectfully submit that the claim 1 is not anticipated or made obvious by the teachings of Kondo. For example, Kondo does not disclose or suggest a method that amongst other patentable elements, comprises (illustrative emphasis added) "content stored on the data carrier is arranged in files and related sub-files such that said data content associated with at least a part of a file and its related sub-file of the files and related sub-files is accessible from said first position on different layers of said data carrier" as recited in claim 1, and as similarly claimed in independent claims 5 and 16. In fact, Kondo merely shows ciphered content and cipher keys for deciphering the ciphered content.

Based on the foregoing, the Applicants respectfully submit that independent claims 1, 5 and 16 are patentable over Kondo and notice to this effect is earnestly solicited. Claims 2-4, 6-7, 9-15, and 17-20 respectively depend from one of claims 1, 5 and 16 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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